IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

ALLEN ALPHONZO ADAMS,	)	
	)	
Petitioner,	)	
	)	
v.	)	**CIVIL ACTION NO. 5:14-CV-293 (MTT)**
	)	
BRIAN OWENS,	)	
	)	
Respondent.	)	
	)	

ORDER

Before the Court is a Report and Recommendation of Magistrate Judge Stephen Hyles. (Doc. 19). The Magistrate Judge recommends that the Court order service of the petition for writ of habeas corpus and motion for injunctive relief[1] on the Respondent and direct the Respondent to file an answer or other response. The Petitioner filed an objection to the Recommendation. (Docs. 20; 21). Pursuant to 28 U.S.C. § 636(b)(1), the Court has thoroughly considered the Petitioner's objection and has made a de novo determination of the portions of the Recommendation to which the Petitioner objects. The Recommendation is adopted and made the order of this Court. Accordingly, **IT IS ORDERED** that the Respondent file an answer to the allegations of the petition and any amendments within sixty (60) days after service of this Order and in compliance with Rule 5 of the Rules Governing Section 2254 Cases. Either with the filing of the answer

[1] The Magistrate Judge construed the Petitioner's motion for injunctive relief as an amendment to his petition. (Doc. 19 at 4). The Court agrees that the motion, as the Magistrate Judge ordered, should be construed as an amendment. The Court also adopts the Magistrate Judge's recommendation that to the extent the motion can be construed as seeking a preliminary injunction, it be denied. (Doc. 19 at 4 n.4).

or within fifteen (15) days after the answer is filed, the Respondent shall move for the petition to be dismissed or shall explain in writing to the Court why the petition cannot be adjudicated by a motion to dismiss. **Any and all exhibits and portions of the record that Respondent relies upon must be filed contemporaneously with Respondent's answer or dispositive motion.**

No discovery shall be commenced by either party without the express permission of the Court. Pursuant to the memorandum of understanding with the Attorney General of the State of Georgia, a copy of the petition and a copy of this Order shall be automatically served on the Attorney General and Respondent electronically through CM/ECF. The Clerk of Court shall serve a copy of this Order upon Petitioner via U.S. mail. Petitioner is advised that his failure to keep the Clerk of the Court informed as to any change of address may result in the dismissal of this action.

SO ORDERED, this the 10th day of March, 2015.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT